

REMARKS:

Claims 10, 13-14, 34-36, 41 and 43-45 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,403,335 B1.

Applicant respectfully points out that the specification of the '335 patent teaches murine and rat persephin sequences, and the claims referred to by the Office contain references to murine and/or rat persephin sequences. The claims of the '335 patent are directed to nucleotide sequences with at least about 85% identity to rat or mouse persephin. The instant claims are directed to nucleotide sequences with at least 75% identity to human persephin. The '335 specification does not disclose human persephin. Therefore, applicant respectfully requests reconsideration of this rejection.

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



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FIGURE 20A

PSP/NW (SEQ ID NO: 141)

ALAGSCLWSLTLPVAELGLGYASEEKVIFRYCAGSCPQEARTQHSLVLA 50
RLRGRGRAHGRPCCRPTAYEDEVSFLDVHSRYHTLQELSARECACV 96

FIGURE 20B

NTH/PSP (SEQ ID NO:146)

PGARPCGLRELEVRVSELGLGYTSDETVLFYRCAGACEAAIRIYDLGLRR 50
LRQRRRVRRERARAHPCQCPTSADVTFLDDQHHWQQLPQLSAAACGCGG 100